

NEWARK, MISC. POLICE DEPARTMENT

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From the Constable Who Sometimes Was a Bartender to the Present
Day Well Organized Police Force

How in The Good Old Days the Puritans Wanted to Improve and Educate the
Citizens by Means of the Gallows, Pillory and Flogging

Puritanism influenced the manners and customs of the everyday life of the first inhabitants of the city. It also influenced the police and the judgment of the judges. The barbaric laws of that time were carried out with great cruelty. The death penalty applied to arson, murder, perjury, incest, burglary, theft (after the third offense), and even the unruliness and refractoriness of children (!) The thief did not receive any less severe sentence than the murderer. A first offense of a thief was punished by branding on the palm of his hand with a hot iron with the letter "T" (first letter of the word thief). After a second offense the letter "T" was marked on his forehead, and after the third offense he was facing the gallows. Beside the gallows there stood also a whipping-post and pillory. It is amazing with what gusto the authorities applied these physical punishments.

Not only adulteresses and bickering wives, but also bums, jugglers, night loiterers, tramps, strolling actors, gypsies, peddlers and beggars were publicly flogged when they appeared in the God fearing small town on the Passaic River.

The authorities evidently wanted to firmly withhold from all the inhabitants every temptation which would divert them from their main goal in life, the fulfilling of the Puritan church's commandments.

Drunkenness, swearing and cursing, slander and violation of the orders of the authorities, were punished by public confinement in the stocks. The offender was tied in the stocks so that he could not move his hands, and everybody who had the inclination could throw dirt, rotten eggs or other missiles at him. Frequent employment of corporal punishment such as the pillory had also its origin in the fact that the great poverty and penuriousness of the people prevented the building and maintenance of a jail. Besides, they regarded a quick punishment as fully as effective as imprisonment.

It is not known when the first prison or jail in Newark was built, but they seem to have felt early the need of a secure abode for certain people, in spite of the brevity of court proceedings. The first jail stood approximately opposite the First Presbyterian Church on Broad St. Later the prison stood on the site of what is now Grace Church - at Broad St. and Walnut St. - and in still later prisoners were kept on the first floor of the Court House lately demolished. According to the attitude of those times, the gallows erected on the green on the site of what is now Military Park, was an appurtenance of the jail. The sentenced offenders dressed in white shrouds were led by military guards playing drums from the jail to the gallows, and were hung on the spot. It was characteristic of those times that a religious service lasting an hour was held before the executioner completed his function.

The people of the time probably had strong nerves. There is a story which gives an example of particular fortitude. A convict who already stood under the gallows was pardoned and was untied. He sat upon his coffin and his lunch was brought to him by the jailer, which he very calmly proceeded to eat.

Interesting also are the following entries which were recorded in a diary kept at the time:

May 13, 1761. The Freeholders gave the Sheriff 7 pounds and 10 shillings for the execution of a Negro and a Negress.

Jan. 31, 1738. The Sheriff received for the flogging of Jonathan Hopkins and for the execution of John Greenwood 5 pounds 19 shillings, and Humphrey Nichols for the gallows, 10 shillings 6 pence.

Feb. 27, 1739. Hoppar Beach, for the making of the handcuffs for John Greenwood, received 5 shillings and 8 pence.

Branding and Every Bestial Cruelty of the Puritans Against the
Quakers

Branding and mutilation of offenders for a time was the most severe in the American Colonies. A branding iron stamped the offender forever with the stamp of his crime and made him an outcast from society.

Also in this regard the Puritan colonists in the north of the New World exhibited a cruel intolerance. The Quakers who came from England became victims of the narrow-minded judges of that bigotted time. The reception which the first Quakers who landed on American soil received is a disgrace which cannot be erased from the history of the United States. In 1656 two women, Ann Austin and Mary Fisher, Quakers from the Island of Barbadoes, arrived in Boston. They were immediately put in prison and then expelled from the colony. Other Quakers followed them, but were not so leniently treated. Hundreds of Quakers were flogged, pilloried, mutilated, branded and imprisoned. In Boston the Puritans hung four Quakers. The following is a report on the punishment of a Quaker who dared to worship God in his own way. This report gives a characteristic picture of those times:

"Drums were beaten as Norton (the name of the unfortunate man) was led out and stripped to the waist. Then he received 36 lashes with a knotty, leather whip. His hands were tied to a post and he was branded with a hot iron with the letter "H", for heresy."

The Quaker women were punished with the same severity. Of one, Mary Clark, is reported "her tender body was lacerated with lashes of a knotty whip, and the executioner struck her with precision, always in the same spot." Four other Quaker women were flogged in Salisbury until blood ran, but the men of the city revolted against this cruelty and forcibly intervened, taking the women from the executioner and allowing them to escape.

In 1657 the law was in force in Massachusetts that a male Quaker for a first offense of practicing his religion would lose an ear, for a second offense, the other ear, and for a third offense his tongue would be perforated with a hot iron. Sometimes they would be branded on the right shoulder with the letter "R".

In the Southern colonies there are examples of unbelievable severity in punishment. Absence of attendance at church services in Virginia was considered a capital offense and was punished by death. In Maryland there was no mercy for the blasphemer. Depending upon the gravity of the blasphemy, the offender was branded with the letter "B", or his tongue was pierced, or he was hung.

A grave offense in the early days of the colonies was the stealing of hogs. People who wanted to acquire swine in a dishonest way risked, if caught, receiving one slit in each ear.

In all the colonies there was a complete alphabet for branding; "SL" for seditious libel, "T" for thief; "R" for Rogue, "F" for forgery and "B", in general, for burglary. Only at the end of the eighteenth century did this cruel practice of branding and mutilation disappear from the law books of the colonies.

Except in Maryland and Delaware, where flogging in public is still practiced, all the law books of the states which have no uniform criminal law state that physical punishments are no longer in existence.

In some places in the United States, especially in those regions where civilization and the humanities did not penetrate, the people preferred to take justice into their own hands. Tar and feathers, whipping and branding of offenders are not phantasies of reporters and fiction writers. Lynch law is still in force and will not be banned until the people have proof in their hands that criminals will be quickly punished.

First Guardians of the Law Were Constables and Tavern Owners Who Had Authority Over Drunkards

It became clear that a stubborn Puritanism with its constant "Thou Shalt's and Thou Shalt Not's" could not exist without police help. The first legal guardian of the law emerged in 1668 -- the first Constable. He was a certain Thomas Johnson and was the first police officer. He served until the end of 1673. His successor in office was John Ward, Turner. It is one of the most amusing incidents in the beginning history of our city that the first policeman was the only tavern owner in the locality and also that he was the only man who was permitted to sell less than a gallon of liquor at a time. What a combination of careers! -- Tavern owner and policeman!

The old and honest Roundheads sometimes had really good ideas. The oldtimers knew very well, although they were narrow-minded and bigotted, what constituted the good life, and they did not deny the right to get a good drink. In this regard they had more sense than their fanatical descendants, who carried a bottle of whiskey in their pocket together with an abstinence tract. In any case the guardians of law and order acted in this double capacity. A stranger who visited them was required to present proof of his religious orthodoxy before he would receive drink, food or lodging, and the tavern owner was made responsible, according to the law, to keep away all liars and brawlers. It was also the duty of the constable-tavern owner to see that customers who got drunk were arrested and punished with a fine of one shilling. He who got drunk a second time was tied to the pillory where he had to stay until he sobered up. His fellow citizens evidently had great confidence in the righteousness of the constable-tavern keeper, because it is almost beyond the Puritan concept of law to impose a money fine on a robust drinker who had enjoyed himself to excess. Today a tavern-owner would serve such a customer free lunch!

On the Leatherheads

These are different times and different manners, but whether they are better or not is open to question. Newark was satisfied with this particular establishment for a long time. The number of constables was augmented more and more, but it is not clear if they remained as righteous as the first officers; however they performed their duties well. When

Newark became a city \$3200 was allotted for the maintenance of a night guard; daily police were organized for the first time in 1850. The salary of the captain of the night guard was at that time \$1.37½ per night, and the watchman received from 87½ to \$1.00. In 1846 patrolmen received nightsticks, and from that time through 1850 new security watchmen were known as Marshals, and were, as we can see from drawings, divided into marshals for Sunday, ward marshals, constables, and finally night watchmen. Each class of these officials had a distinct duty to perform. The first Chief Marshal was Joshua Whitbeck, who had his headquarters at the Center Market. The patrolmen wore leather helmets similar to those of firemen and they were nicknamed "leatherheads", a name they did not like, and which resulted in numerous disputes and arrests. Badges were introduced for the patrolmen in 1854. They bore the insignia "City Watch", and at the same time the leather helmets were replaced by caps. The salary of the Chief Marshal was at that time \$800, and his assistant received \$600.00 a year.

For many years there were no important changes, but everything was not always in good shape even among the guardians of law and order, as is made clear by a Resolution passed by the City Council on February 4, 1850, in which it was stated that "In regard to the efficiency and discipline of the Watch Department it is necessary that all members of the aforesaid Watch Department when on duty, should be sober and alert, and that it is not fitting to keep people on police

duty who disobey these rules."

In 1851 the first floor of the house at 82 Market St., today the corner of Washington St., was rented as a police station, because the quarters in the old market house proved to be inadequate. In 1855 the police officers received, for the first time, uniforms which they provided themselves, and they received \$500.00 per year. In 1858 re-organization of the Newark Police force was made on the suggestion of the then Mayor Bigelow. Henry A. Whitney became chief with \$800 a year salary, and there was a police captain besides, at \$700, and two lieutenants at \$600 each. The so-called Doorman received \$1.00 per day, and twelve day policemen received 62½ per day, while 26 night watchmen received \$1.37½ per night. At the same time the first detective was appointed, Jacob Wambold. At this time a real police department was organized. In 1862 the difference between day and night police was eliminated and all were made patrolmen, who alternated day and night work. On June 2, 1865, a police station on William St. was opened, which for a long time served as police headquarters. Jacob Wambold was at that time Police Chief, and in his annual report he mentioned the opening of the station. He proposed in this report an increase of the police force because of the new sections of the city that were without any protection. Mayor Peddie and Mayor Mcord repeated the same request in their annual reports, and later in the year 1870, the record stated that one police station for such a quickly growing city as Newark was not sufficient.

The First Police Commission

Attempt to Withdraw Police From Political Influence Fails

The Legislature passed a law on Feb. 24, 1870 to establish a Police Commission for control of the police in Newark. The Police Commissioners, D. Anderson, Joseph G. Hill, James H. Halsey and H. Schalk took over on March 1, 1870. The police force consisted of 110 men, 102 patrolmen and the rest officers and detectives. At any rate the Commission demonstrated good will. In their report addressed to the City Council the Commissioners pointed up their request for more men and arrangements for more sub-stations to better watch and guard the city. There were more policemen appointed, but the establishment of sub-stations was not approved. The activity of the Commission suffered a premature end when, early in 1871, the Legislature abolished the Commission, and the police department was put under the control of the Mayor and the City Council.

The same year brought another important improvement, or at least the first step's toward it, when the city allowed a reform school to be established for boys under 16 years who were sentenced by the police judge. A need for such an institution had existed for a long time, because the number of juvenile wrong-doers had increased with the growth of the city, and there was no other place of detention for them except the jail, where they were often ruined. Mayor Ricord is to be credited with the acceptance of plans for building a reform school and for the opening of September 17, 1872, of the Second Precinct Station.

The first Sunday raid by the police was ordered by Mayor Ferry. It appears that things went smoothly until now. The Alderman who was in charge of the police thought that it would be better not to use the police as spies and agitators, and everything was tranquil on Sundays until Mayor Ferry came into office. Obviously he was a narrow-minded fanatic, and his inauguration speech on Jan. 1, 1874 advocated Sunday raids and arrests. The disturbance continued and created a situation which brought about the origin of the splendid liberal movement in 1879.

The following years did not bring any important changes in police organization.

In all the messages of the various Mayors, as well as in the reports of the Police Chiefs, it appears there were always complaints about unsatisfactory police organization; also, Mayor Fiedler, in his inaugural speech, spoke at length on the subject; but it seems that nothing concrete was accomplished. The patrolmen's beats were so large that it was not possible for them to patrol them more than twice in one day, and for the supervising sergeants it was a real problem to find the patrolmen. Mayor Fiedler reiterated an already existing request to build two new stations; one on the Vailsburg and the other at the Pennsylvania Station. He also requested a better discipline and removal of the

⁸ This is a reference to the enforcement of the "Sunday Law" which prohibited the sale of liquors and other intoxicating beverages, as well as music and dances on Sundays.

clique which kept police in office who were not qualified and who were protected when they disobeyed regulations. He suggested the introduction of a law which guaranteed keeping in office officials who performed their duties and secured promotion according to performance and merit, and not according to political influence and other influence. Nothing changed because Mayor Fiedler's successor repeated the same suggestions without any better success. During the year 1883 a request for the establishment of a sub-station was repeated, and on July 1, 1883 the station on Belmont and Springfield Avenues was opened; and on November 24, 1883 another station was opened at 202 Ferry Street.

Mayor haynes requested an increased police force free from political influence. In this way better order and discipline could be maintained. Police Chief Bell supported the Mayor in his contention and declared in his own report that the biggest obstacle to efficiency in the police department was the changeover in the police force with each new majority in the City Council. The City Council passed an ordinance according to which all nominations for policemen should be made by established procedures, but this did not help much.

After Chief Bell and his people were in office one year a new Police Chief, Frank Tuite, and other policemen were nominated. But after Tuite's term expired, the Legislature passed a law for the nomination of a Police Commission, which was approved by the citizens in 1885 in a referendum with 8,647 ballots cast, and which became law on Feb. 4, 1886.

Contemporary Police

Organization of the Police by a New Police Commission

From that time the police were under the control of the Police Commission and a great deal of progress was made, although there was still considerable room for improvement. In any case, many of the problems disappeared. Intelligent and capable men were hired for the service, and a number of careless officers and officials, as well as corrupt elements, were removed; and although politics still played a role in the police department, the politicians were no longer the deciding factor which controlled the procedure and function of the department. The nomination of the first commissioners for the Police and Fire Departments (there was also a Commission for the Fire Dept.) was made under some difficulty, because the Republican City Council opposed the nominations made by Mayor Haynes and requested an amendment to this law. It was only after the best lawyers in the state declared that the law which constituted the Police Commission was valid, and that the city Police Department did not exist when the law was contested, that they gave up their position and the nominations were approved. On February 4, 1886 William A. Ripley, Charles Marsh, Henry Dilly and E. E. Starrs met and organized the Police Commission and elected William A. Ripley as the President and Joseph M. Cox was nominated as Secretary of the Commission.

The job of the new Commission was a difficult one. It was necessary first of all to undertake the cleaning up of the department and this was completed with great thoroughness. The

third and fourth sub-stations were made precincts, and on Oct. 4, 1887 Henry Hopper was nominated Police Chief. In the year 1888 fifteen thousand dollars was approved for the establishment of the police patrol and signal system by the City Council, and this system was introduced the following year. In the same way was a number of patrol wagons and ambulances provided, which served together with the signal system and proved very useful. On May 21, 1889 Albert J. Haynes was nominated as first school patrolman. In 1891 a law was passed which established the useless and expensive office of the Police Superintendent of Newark, and ex-Sheriff Brown was nominated for this office in June of 1891. Police Chief Hopper, who as a veteran could not be dismissed, stayed as Police Chief, and during the next year was nominated as Chief of the Detectives. A considerable improvement was effected by the building of the new station house on Van Buren Street which was opened in the same year, as well as the making of the old station on Springfield and Fifteenth Avenues into a new police station. In the year 1894 the mounted police were organized. Our present day new station building for the 4th Precinct was opened on May 30, 1904. For some time it appeared necessary that the building of a new station in the northwest part of the city was needed. This part of the city had developed so rapidly that it could not be served by the Second Precinct, and on May 22, 1905, a new station house of the Fifth Precinct was opened. Also the Detective Department grew and was increased, and on the first of June, 1906, a system for the teaching of the Bertillon System for the identification of criminals was

introduced so that they could be identified readily. The Police Chiefs were:

H. A. Whitney, 1857-59
John Thatcher, 1860
Jacob Wambold, 1861-65 and 1875
A. J. Clarke, 1866-69
James Peckwell, 1870
W. B. Glasby, 1871-72
James F. Rogers, 1873-74
John Mills, 1876-77
John Bell, 1884-86
Henry Hopper, 1887-1905
John H. Adams, 1906, and Michael Corbitt

The Commanding Officers of the Police at this time are:*

Police Chief Michael Corbitt, born on Feb. 11, 1842, entered the police service on Oct. 21, 1869. He resigned because of political reasons on May 9, 1874 and was renominated, this time as Captain. In May of last year he was nominated Police Chief.

Michael R. Ryan, Captain of the First Police Precinct, was nominated for the position in May of last year. He was born on Dec. 2, 1856, and entered the police service on Jan. 24, 1888. On May 5, 1896, he was promoted to Roundsman, and on Oct. 29, 1897, he was promoted to Sergeant.

John C. Brown, from the Second Precinct, was born on Aug. 24, 1862. On Feb. 21, 1889 he became a policeman, and on

* i.e. 1906

March 1, 1896 he was promoted to Boundsman, and on Nov. 16, 1897 to Sergeant. In May of last year he was nominated for his present position.

Captain Peter Christie, the Commander in the Third Precinct, was promoted in May last year to this position. He was born on May 28, 1859, and entered the service on October 23, 1888. On July 9, 1895 he was nominated to the position of detective, and on Aug. 1, 1898 to Detective-Sergeant.

Captain Oscar Vogel of the First Precinct was born on Nov. 27, 1846 in Wachenhein-on-Hardt.* His parents came to this country when he was six months old. He entered the service on Jan. 19, 1877 as patrolman. He resigned because of political reasons on April 1, 1884, and he was re-nominated on April 14, 1885. On Aug. 1, 1895 he was assigned to the "Four Corners", and was promoted on Oct. 1, 1897 to Boundsman. On Nov. 16, 1897 he became Sergeant, and from July 10, 1905 he has had his present assignment as Captain.

The oldest of the Police Captains is John H. Ubhaus of the Fifth Precinct. He was born on Sept. 27, 1842, and entered the service on Feb. 20, 1871. On Feb. 6, 1880, he was promoted to Bounds Sergeant, and he left the service because of political changes on April 1, 1884. On April 18, 1885, he again was assigned the position of Bounds Sergeant. On Oct. 12, 1887 he was promoted to Sergeant. On Dec. 29, 1888, he

* Germany

was nominated as Deputy Lieutenant in the Fourth Precinct, and on Nov. 24, 1891, this position was made permanent. On July 9, 1895, he was promoted to Captain of the same precinct. On Nov. 1, 1897, he was transferred to the Third Precinct, and on Jan. 1, 1901 to the First Precinct, and on May 22, 1905 he was transferred to the Fifth Precinct.

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